



TOWN OF ROCKLAND

Board of Selectmen

Town Hall
242 Union Street
Rockland, Massachusetts 02370

Chairman:

James F. Simpson

Vice Chairman:

Lawrence J. Chaffee

Selectmen:

Michael E. Zupkofska

Michael P. Johnson

Deborah A. O'Brien

Telephone: 781-871-1874

Fax: 781-871-0386

Acting Town Administrator:

John J. Clifford, Esq.

**MINUTES OF THE BOARD OF SELECTMEN'S OPEN SESSION held on Monday,
May 19, 2008 at 7:00 PM in the H. Bernard Monahan Memorial Room, Town Hall,
242 Union Street Rockland, Massachusetts 02370**

**ATTENDANCE: James F. Simpson-Chairman; Lawrence J. Chaffee-Vice Chairman,
Michael E. Zupkofska, Michael P. Johnson and Deborah A. O'Brien**

Veterans' Agent Anton Materna led everyone in reciting the Pledge of Allegiance.

Presentation to Dr. John W. Rogers from SSTTDC with a proclamation from the US Congress in honor of his long and distinguished career in public service to the Town of Rockland and the BOS presented John with a "Rockland's Best" Award.

Presentation from Veterans' Agent Anton Materna to Gregory Gliniewicz for his service to our country in Iraq. Greg will be the Grand Marshall in the Memorial Day Parade.

A. MINUTES

1. Executive Session – April 22, 2008

**Motion: Mr. Chaffee to approve Executive Session Minutes of 4-22-08
not to be released until all matters are settled.**

Second: Mr. Zupkofska

Vote: 5-0

2. Executive Session – April 17, 2007

**Motion: Mr. Zupkofska to approve Executive Session Minutes of 4-17-08
not to be released until completed**

Second: Mr. Chaffee

Vote: 3-0-2 (Mr. Johnson & Mrs. O'Brien abstained)

3. Executive Session – April 23, 2007

**Motion: Mr. Chaffee to approve Executive Session Minutes of 4-23-07
not to be released until all matters are settled.**

Second: Mr. Zupkofska

Vote: 3-0-2 (Mr. Johnson & Mrs. O'Brien abstained)

B. UNFINISHED BUSINESS

1. Town Administrator candidate discussion

Motion: Mr. Chaffee to make an appointment for the TA position

Second: Mr. Zupkofska

Vote: 5-0

BOS gave their opinions and concerns on the two candidates Allan R. Chiocca and Owen J. Quinn.

**Motion: Mr. Chaffee to offer the TA position to Allan R. Chiocca for one year
subject to successful contract negotiations and background check**

Second: Mr. Johnson

Vote: 4-1 (Mr. Zupkofska opposed)

2. Selectmen Liaisons

Michael Johnson

Water Commission

School Committee

Permanent Building Committee

Finance Committee

Charter Maintenance Committee

Jay Simpson

GIC

Energy Committee

Sewer Commission

Rent Control

Memorial Committee

Larry Chaffee

Cable Advisory

Council On Aging

Park Commission

Youth Commission

Community Center Committee

Teen Center

Michael Zupkofska

Assessors

Library Trustees

Cultural Council

Historical Commission

Internet Committee

Light Up Rockland Committee

Board of Health

Debby O'Brien

Housing Authority

Conservation Commission

Open Space Committee

Planning Board

Zoning Board of Appeals

3. Board Discussion – Water Commission

Mr. Zupkofska gave an overview of the Water Commission and the incident with Mr. Hannigan. BOS offered their concerns.

Motion: Mr. Zupkofska (1) Write a letter to Water Commissioners asking them to rescind their vote making Mr. Hannigan chairman (2) that Mr. Hannigan resigns as a Water Commissioner (3) that we give them a vote of no confidence in their ability to manage the Water Dept.

Second: Mr. Chaffee

Vote: 5-0

C. NEW BUSINESS

1. Planning Board resignation

Chairman Simpson read the letter of resignation that Mark Gardner sent to the Planning Board and the Town Clerk stating his move to Plympton.

Motion: Mr. Chaffee to publicize the vacancy on the Planning Board

Second: Mrs. O'Brien

Vote: 5-0

Motion: Mrs. O'Brien to accept resignation of Mark Gardner with deep regret

Second: Mr. Chaffee

Vote: 5-0

2. William Minahan – Finance Committee

Mr. Minahan was not able to make it tonight...Mr. Clifford gave an update of a recent meeting what went over what happened with the budget process, what happened at Town Meeting and some ways that we may improve the process. We are going to develop a comprehensive calendar, start the budget process early, indicate what the critical timelines are, give the BOS more time to review the budgets early and information that we put out to voters, etc.

Chairman Simpson gave his thoughts on this process. Ideas we've talked about is having two Town Meetings a year and how zoning articles could be more effective. Mr. Clifford indicated the BOS would have to consider a by-law change if they were to have two Town Meetings a year. Mr. Zupkofska suggested making it a two night Town Meeting. One night for budgets and one night for zoning issues.

3. Italian American Civic Association – Change of Manager

Motion: Mr. Chaffee to approve change of manager to Joseph C. Pasciuto for the Italian American Civic Association

Second: Mrs. O'Brien

Vote: 4-0-1 (Mr. Simpson abstained)

4. Revocation Hearing – Saddle Sores

Motion: Mr. Zupkofska to open revocation hearing for Saddle Sores

Second: Mr. Chaffee

Vote: 5-0

Rosemarie Beauregard (previous owner) requested that the BOS revoke the license and gave an overview of what has been happening. Mr. Clifford cautioned that there is an appeal period of 20 days. The appeal period starts when the letter is sent out and the minutes of this meeting should be approved.

Motion: Mr. Chaffee to close hearing

Second: Mr. Zupkofska

Vote: 5-0

Motion: Mr. Chaffee to revoke license of Saddle Sores

Second: Mr. Zupkofska

Vote: 5-0

5. Revocation Hearing – Tuscany 323

Motion: Mr. Chaffee to open revocation hearing for Tuscany 323

Second: Mr. Zupkofska

Vote: 5-0

Mr. Chaffee – Police department has been asked to take notice if there has been any activity at this establishment and there has not been.

Motion: Mr. Chaffee to close hearing

Second: Mr. Zupkofska

Vote: 5-0

Motion: Mr. Chaffee to revoke license of Tuscany 323

Second: Mr. Zupkofska

Vote: 5-0

6. Poppy Drive – American Legion

Charles Kimball's letter was read requesting a Poppy Drive on May 22, 23 & 24 at Butterfield's and Luke's Liquors.

Motion: Mr. Zupkofska to approve the Poppy Drive on May 22, 23 & 24th

Second: Mr. Johnson

Vote: 5-0

7. Donations – Building Department

Chairman Simpson read letter from Building Department for the donation of a slightly used copier/printer from Tedeschi Realty and to Charlie Pratt for the donation of a laser printer for our office computer.

8. Appointments/Reappointments

New Appointments must be present.

Planning Board (until April 09)

(This is a joint meeting with Planning Board & Selectmen)

Michael Corbett – 27 George Street

Motion: Mrs. O'Brien to appoint Mr. Corbett to the Planning Board until the April election.

Second: Mr. Zupkofska

Vote: 5-0

Council on Aging – (3 Year Term)

Jan Doney Elfadel – 109 Market Street

New applicant not present.

Motion: Mr. Zupkofska to table

Second: Mr. Chaffee

Vote: 5-0

Animals, Inspector of – (Annual Appointment)

Patricia A. Whittemore – 810 Liberty Street

Motion: Mr. Chaffee to appoint Patricia Whittemore as Inspector of Animals

Second: Mrs. O'Brien

Vote: 5-0

Cultural Council – (2 Year Term)

Jan Doney Elfadel – 109 Market Street

New applicant not present. Skipped over

Rent Control Board

Lisa Pratt – 100 Hartsuff Street – (2 Year Term)

New applicant not present. Skipped over

Cable Advisory Committee – (3 Year Appointment)

Jan Doney Elfadel – 109 Market Street

Motion: Mr. Chaffee to appoint Jan Doney Elfadel to Cable Advisory Committee

Second: Mr. Zupkofska

Vote: 5-0

Conservation – (3 Year Appointment)

Roland A. Pigeon – 25 Division Street
Victor W. Solari – 119 Lincoln Road
Charlene R. Judge – 624 Forest Street

Motion: Mr. Zupkofska to approve the three reappointments to Conservation

Second: Mr. Chaffee

Vote: 5-0

Council on Aging – (3 Year Appointment)

Rita M. Howes – 390 North Avenue
Audrey Ryan – 56 Liberty Street
Barbara McGarry – 831 Summer Street
Edward T. Borges, Jr. – 127 Belmont Street

Motion: Mr. Chaffee to appoint the four reappointments to the C.O.A.

Second: Mrs. O'Brien

Vote: 5-0

Constables – (3 Year Appointment)

Adam P. Loomis – PO Box 339, Weymouth
Jerold Loomis – PO Box 339, Weymouth
John Torchio – 15 Homestead Street, Brockton

Motion: Mr. Zupkofska to approve all three constables

Second: Mr. Chaffee

Vote: 5-0

Director of Emergency Management – (ANNUAL)

Robert L. Bowles – 78 Hingham Street

Motion: Mr. Chaffee to approve Robert Bowles as Director of Emergency Management

Second: Mr. Zupkofska

Vote: 5-0

Energy committee – (Staggered Appointments)

Carol Perilli – 496 W. Water Street – 3 Year Term
James R. Paul, Jr. – 162 Webster Street – 3 Year Term
Heidi Hosmer – 33 Stanton Street – 2 Year Term

Motion: Mr. Chaffee to approve Energy Committee appointments as stated

Second: Mrs. O'Brien

Vote: 5-0

Gas Inspector - & Alternate (Annual Appointment)

William E. Stewart – 40 Summit Street

Gary Young (Alternate) – 337 Broadway Street, Hanover 02339

Motion: Mr. Chaffee to appoint William Stewart Gas Inspector

Second: Mrs. O'Brien

Vote: 5-0

Motion: Mr. Chaffee to appoint Gary Young Alternate Gas Inspector

Second: Mr. Johnson

Vote: 5-0

Historical Commission – (3 Year Appointment)

Peter Dow – 31 Union Street

Motion: Mr. Johnson to appoint Peter Down to the Historical Commission

Second: Mrs. O'Brien

Vote: 5-0

Internet Committee – (3 Year Appointment)

Barbara Hagopian – 3 Beechwood Lane

Motion: Mr. Chaffee to appoint Barbara Hagopian to the Internet Committee

Second: Mr. Johnson

Vote: 5-0

Memorial Committee – (Annual Appointment)

Jeffrey P. Najarian – 22 Bradford Street

Thomas Murrill – 102 Spring Street

Anton Materna – 416 Market Street

John R. Melvin – 21 Bradford Street

Mary Jane Letizia – 163 Damon Road

Motion: Mr. Zupkofska to approve all 5 reappointments to the Memorial Committee

Second: Mrs. O'Brien

Vote: 5-0

Municipal Hearings Officer – (Annual Appointment)

James Killinger – 44 Robin Lane

Motion: Mr. Chaffee to appoint James Killinger as Municipal Hearings Officer

Second: Mr. Johnson

Vote: 5-0

Old Colony Planning Council Area Agency on Aging – (Annual)

Rita M. Howes – 390 North Avenue

Motion: Mr. Chaffee to appoint Rita Howes

Second: Mr. Johnson

Vote: 5-0

Open Space Committee – (3 Year Appointment)

Katherine A. Kirby – 162 Liberty Street

Motion: Mrs. O'Brien to appoint Katherine Kirby to the Open Space Committee

Second: Mr. Johnson

Vote: 5-0

Parking Clerk – (Annual)

Elizabeth Parker – 104 Manzella Court

Motion: Mrs. O'Brien to appoint Elizabeth Parker as Parking Clerk

Second: Mr. Johnson

Vote: 5-0

Plymouth County Advisory Committee - (Annual)

Lawrence J. Chaffee – 936 Union Street

Motion: Mrs. O'Brien to appoint Larry Chaffee to Plymouth County Adv. Com.

Second: Mr. Johnson

Vote: 5-0

Registrar of Voters – (3 Year Appointment)

Randalin S. Raltson – 776 Market Street

Motion: Mr. Chaffee to appoint Randalin Ralston to Registrar of Voters

Second: Mrs. O'Brien

Vote: 5-0

Rent Control Board – (Staggered Appointments)

Walter Paul – 7 Crabapple Circle – 2 Year Term

Motion: Mr. Chaffee to reappoint Walter Paul to the Rent Control Board

Second: Mr. Johnson

Vote: 5-0

Rockland Community Center Building Committee – (3 Year Appointment)

Richard Furlong – 677 Union Street

Motion: Mr. Chaffee to appoint Richard Furlong to R. Community Center Bldg. Com.

Second: Mrs. O'Brien

Vote: 5-0

Sealer of Weights and Measures – (Annual)

Thomas Ruble – 32 Niles Street

Motion: Mr. Chaffee to appoint Tom Ruble as Sealer of W&M

Second: Mr. Zupkofska

Vote: 5-0

Tree Warden – (Annual Appointment)

Robert Corvi, Jr. – 162 Webster Street

Motion: Mr. Chaffee to appoint Robert Corvi as Tree Warden

Second: Mr. Johnson

Vote: 5-0

Inspector of Wires & Alternate – (Annual Appointments)

James R. Paul, Jr. – 162 Webster Street

James J. Sawaya – 537 Summer Street

**Motion: Mrs. O'Brien to approve James Paul & James Sawaya as Wire
Inspectors**

Second: Mr. Johnson

Vote: 5-0

Charles C. Pratt, Jr. - 40 Monroe Street (Alternate)

Motion: Mrs. O'Brien to approve Charles Pratt as Alternate Wire Inspector

Second: Mr. Zupkofska

Vote: 5-0

Zoning Board of Appeals – (3 Year Appointment)

Robert Manzella – 21 Manzella Court

Gregory Tansey – 9 Barstow Lane

Motion: Mr. Chaffee to approve both appointments for ZBA

Second: Mr. Johnson

Vote: 5-0

Zoning Board of Appeals – (Assistant/Alternate) – (Annual)

Stanley Cleaves – 38 Greenwood Street
Alan W. McPhee – 85 Exchange Street

Motion: Mrs. O'Brien to approve both alternate ZBA members

Second: Mr. Johnson

Vote: 5-0

D. TOWN ADMINISTRATOR'S REPORT

Mr. Clifford recognized Representative Nyman and his staff for getting in a grant from the Mass Office of Tourism for public safety and they got it in the budget for this year (the money has to be expended by June 30th) \$12,500 each for the Police and Fire Departments. It's difficult to get this trough and he'd like to thank Representative Nyman for his efforts.

Motion: Mr. Chaffee to send a letter of thanks to Representative Nyman

Second: Mrs. O'Brien

Vote: 5-0

Mr. Clifford spoke on the insurance budget. He met with the agent and reviewed our coverage. There may be an opportunity for discounts and modifications, we are probably going to look at enhancing the coverage. One of the things I want to consider is that the Town has not been a member of the Mass Municipal Association for a least the last couple of years. MMA does have an insurance agency, its hard to know if they would be a better deal but we can't even bid because we are not part of the MMA. I'd like the BOS to consider joining the MMA for next year. It is \$2,700 per year.

Motion: Mr. Chaffee to rejoin the MMA

Second: Mr. Zupkofska

Vote: 5-0

E. CORRESPONDENCE

Chairman Simpson thanked John and Yvette McKee from Supreme Muffler for planting the flowers under the Town Hall sign. This was done for Maureen O'Haire in memory of Walter.

There will be a benefit on Sunday, June 8th for Norah Stewart (granddaughter of our Executive Assistant Mary Stewart) at Player's Sports Bar & Restaurant from 2 – 6PM, dinner tickets are \$20. This is to help her with her cancer fight.

There will be a benefit on September 13th for Shawn P. Cotter to establish the "Shawn Cotter Memorial Foundation" tickets for the dinner/dance held at the Lantana in Randolph are \$50 per person and are now available at Rockland Federal Credit Union and at Abington Bank.

F. OPEN FORUM

Mrs. O'Brien – Questioned the "Vacation Request Form" if it was going to interfere with contracts. Chairman Simpson replied that it's more of a notification of what happens. We are not governing them or approving them, it's just notification that we know they are not going to be here.

Mr. Zupkofska – This document "Vacation Request Form" was a draft. Just before the election a document that was approved by the former Chair and not brought before the BOS. He believes the whole board should review these items.

Mr. Chaffee – Announced the vacancy of John Rogers at SSTTDC we will be accepting applications. We will set the return of this vacancy a little longer because of those qualifications for sometime in July.

Motion: Mr. Chaffee to accept applications for SSTTDC vacancy in July

Second: Mr. Zupkofska

Vote: 5-0

Graduation is coming up. Please be careful on the roads, watch the drinking and driving. Please be careful and congratulations on graduating.

Mr. Johnson – Reminder this is Memorial Day weekend. We have a parade in Town and I ask everyone to come out and join that parade and support our troops and the dedication they have given to our Country.

Mr. Johnson – Commended the work of the Finance Committee on the budget process. Spoke on next year's budget...we need to remember it's coming quickly and we have to avoid bad habits of spending money that we don't have (LNR). He anticipates that next year will be worse.

Mr. Zupkofska – Town Meeting had voted the LNR money for the library roof and the Town Account wrote a letter to DOR and they said you cannot vote for something that you do not have in hand. There is an issue there.

Mr. Zupkofska addressed Chief Sammon - there was an article in Town Meeting for a grant article for the Fire Department. That was already voted on by the Finance Committee and it's supposed to be an emergency. What was the emergency nature of the Finance Committee giving you that money? Chief Sammon – We had a deadline or we wouldn't be able to get that grant. Mr. Zupkofska questioned Chief Sammon in rejecting a money donation. It should have come to the BOS not the Fire Department we would have accepted it.

Mr. Zupkofska mentioned the no trespassing order against Donald Dooner because of a Water Department incident. He hopes this isn't a new avenue to use against residents who may have a difference of opinion on items and bar them from future meetings. He asked that they revoke that no trespassing order.

Mr. Zupkofska brought up a warrant issue with Rockland/Abington Joint Waterworks. There were only two signatures and there are six commissioners and in his opinion it

should have had four signatures...a majority. He pulled the warrant saying it needed additional signatures and signed the warrant hoping that the rest of the bills would move forward. He was told that the warrant was processed and found out that State Law allows less signatures. He believes this is a poor practice...they are elected and should take the time to go down and review the bills. He's waiting to see the law that says they can do this. He was also disappointed to see a memo that went out from the Town Accountant's Office asking the boards and committees who would be their signatories in place of them. The boards should be required to have the majority of members sign the warrants to pay the bills. He was disappointed in the way this warrant was processed and not held as he requested.

Mr. Zupkofska brought up a payment of overpayment of taxes to the Town Collector in which she signed her own approval. He believes it very dangerous to be doing that. He brought up a letter written to him from Town Hall employees referring to the Selectmen's meetings as being like the Jerry Springer show and Mike Zupkofska being the center of it all. When he questions something, he feels it's part of his job to do that. He thinks he has a right to question them, and takes offense that the paperwork was processed for the Rockland/Abington Joint Waterworks. He thinks if this is the way things are done in the Town "why should taxpayers fork over any additional funds for an override". If he has a problem in the future he's not going to sign any of them but he'll still review them. Chairman Simpson asked if anyone on the board wanted to make a motion to open and investigation with regard to the warrant with Lisa Clark? There was no motion. Chairman Simpson – Consider it closed.

Chairman Simpson thanked Debby O'Brien, Larry Chaffee and Mike Johnson for making time with him to sit down with the Governor at Southfield and talked about the benefits for Rockland. Not Just Seafood closed yesterday. The downtown is just stagnated and we need to bring more traffic into that area to get the stores going. Larry Chaffee, Debby O'Brien, Mike Johnson, John Clifford and I met with LNR along with the groups from Weymouth and Abington and talked about LNR's plans and what they are going to be doing at the base, what the timetables are and just getting to know the players and everyone else in there. He also thanked Representative Nyman for the extra effort for Rockland. We are trying to be more business friendly within the community and we are also looking to partner with other businesses. I've been working with the School Department and trying to do that with Serono Labs. They are having a bioscience conference in San Diego and Serono is sending three of our teachers at the HS at no cost to the Town.

Chief Sammon – Spoke about the difficulties they have been having with our ambulance. By the end of June we should have the new ambulance at no cost to the Town.

Motion: Mr. Chaffee to adjourn into Executive Session for the purposes of collective bargaining and contract negotiations of non-union personnel and not to reconvene.

Second: Mr. Zupkofska

Vote: 5-0

Chairman James F. Simpson

Vice Chairman Lawrence J. Chaffee